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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,929	01/23/2004	Vadakkedathu Thomas Rajan	YOR920030461US1 7862	
34663 7590 09/17/2007 MICHAEL J. BUCHENHORNER 8540 S.W. 83 STREET			EXAMINER	
			SWEARINGEN, JEFFREY R	
MIAMI, FL 33143			ART UNIT	PAPER NUMBER
		2145		
			NOTIFICATION DATE	DELIVERY MODE
			09/17/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

MICHAEL@BUCHENHORNER.COM ANA@BUCHENHORNER.COM

(P)

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 37 CFR 1.3(6). In no event, may a reply be timey field with the communication of 37 CFR 1.3(6). In order, the waver, may a reply be timey field with the communication of 37 CFR 1.3(6). In order, the waver, may a reply be timey field of this communication. Failute for reply within the act or extended period for recey will. by status, cause the application to become ABANDADE (38 U.S. C.§ 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filled, may reduce any seamed patient term adjustment. See 37 CFR 1.704(s). Status 1) Responsive to communication(s) filled on 23 January 2004. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-11 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-11 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 1-11 is/are rejected to By the Examiner. 7) The properties of the properties of the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 10) The drawing(s) filed on is/are: a) accepted or bim objected to by the Examiner. Application Papers 9) An explication is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 13) All b) Associated the priority documents have been received		Application No.	Applicant(s)				
Juffrey R. Swearingen 2145	Office Action Occurrence	10/763,929	RAJAN ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Examensor is many by a svalid under the provision of 37 CPR 1.19(i), into event, however, may a reply be briefy field If NO period for reply is specified above, the maximum statutory period will apply and we spire SNX (8) MONTHS from the malling date of this communication. Fallus to reply which his exist or extended period for rigory will. by status, cause we explicate the communication of the communication, seven if limits freed, may reduce any countries after the malling date of the communication, even if limits freed, may reduce any countries after the malling date of the communication, even if limits freed, may reduce any countries after the malling date of the communication, even if limits freed, may reduce any countries after the malling date of the communication, even if limits freed, may reduce any countries after the malling date of the communication, even if limits freed, may reduce any countries after the malling date of the communication, even if limits freed, may reduce any countries after the malling date of the communication, even if limits freed, and the communication of the countries after the malling date of the communication. Status 1) Separation is provided to a 23 January 2004. 2a	Office Action Summary	Examiner	Art Unit				
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1)	 WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any 						
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		6) Other:					

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DETAILED ACTION

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Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Horvitz et al. (US 6,161,130).
- 3. In regard to claims 1, 8, and 10-11, Horvitz disclosed:

providing an Inbox directory and two or more spam directories, each assigned a range of spaminess; column 8, lines 50-66

grading the e-mail for spaminess; column 8, lines 54-65 and

assigning the e-mail into one or more of the directories whose assigned ranges of spaminess encompasses the spaminess grade of the incoming e-mail. Column 8, lines 50-66

4. In regard to claims 2 and 9, Horvitz disclosed:

the spaminess ranges assigned to at least two of the directories overlap such that an e-mail whose grade is encompassed within the overlap is contained in both of such directories.

Column 8, line 62; column 10, lines 27-38

5. In regard to claim 3, Horvitz disclosed:

presenting the user with an indication that the email has been placed in more than one directory. Column 8, lines 50-66; column 10, lines 27-38

6. In regard to claim 4, Horvitz disclosed:

prompting the user to take an action of the email that has been placed in more than one directory. Column 8, lines 50-66; column 10, lines 27-38

7. In regard to claim 5, Horvitz disclosed:

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the action comprises voting on the spaminess of the incoming email. Column 10, lines 27-38

8. In regard to claim 6, Horvitz disclosed:

receiving new information on user behavior and re-grading email based on the new information. Column 10, lines 27-38

9. In regard to claim 7, Horvitz disclosed:

relocating email from one directory to another based on the re-grading. Column 10, lines 27-38

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Morin et al.

US 6,748,422 B2

Rothwell et al.

US 6,769,016 B2

Rothwell et al.

US 7,016,939 B1

Kirsch

US 7,206,814 B2

Loughmiller et al.

US 7,257,564 B2

Murray

US 2005/0080855 A1

Daniell et al.

US 2005/0080860 A1

Dennis, Jim. "Stop, in the Name of Spam." <u>Communications of the ACM</u>. November 1988. Vol. 41, No. 11. ACM Press. 11-14.

Cranor, Lorrie Faith et al. "Spam!". <u>Communications of the ACM</u>. August 1988. Vol. 41, No. 8. ACM Press. 74-83.

Androutsopoulos, Ion et al. "An Experimental Comparison of Naïve Bayesian and Keyword-Based Anti-Spam Filtering with Personal E-mail Messages." <u>Proceedings of the 23rd annual international ACM SIGIR conference on Research and development in information retrieval</u>. ACM Press. July 2000. 160-167.

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Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can

normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC)

at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative

or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-

1000.

Jason Cardone Supervisory Patent Examiner Page 4

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JRS

ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

andrew Coldwell